

U.S. Patent Application Serial No. 10/004,803  
Amendment dated August 5, 2003  
Reply to Office Action of May 7, 2003

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1 (Currently Amended): A sealed battery, comprising a battery element sealed by a flexible external material, said battery element being produced by winding up a positive electrode and a negative electrode each in ~~band-like~~ band shape with a separator therebetween, said battery element comprises a wound-up element having plane portions and curved portions, and an active material layer is formed at least on one of the surfaces of the curved portions positioned on outermost periphery of each of the positive electrode and the negative electrode.

Claim 2 (original): A sealed battery according to claim 1, wherein a positive electrode conductive tab and a negative electrode conductive tab are positioned on the positive electrode and the negative electrode respectively on the outermost periphery of the battery element and the element is sealed.

Claim 3 (original): A sealed battery according to claim 2, wherein a layer coated with a thermal fusion material or a thermal fusion film is attached on a portion where the positive electrode conductive tab and the negative electrode conductive tab are sealed with the external material.

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Claim 4 (original): A sealed battery according to claim 2, wherein the battery element is accommodated in a recessed portion of the flexible external material having plane portions and recessed portions, and the positive electrode conductive tab and the negative electrode conductive tab of the battery element are positioned on the plane portion and the element is sealed.

Claim 5 (original): A sealed battery according to claim 3, wherein the battery element is accommodated in a recessed portion of the flexible external material having plane portions and recessed portions, and the positive electrode conductive tab and the negative electrode conductive tab of the battery element are positioned on the plane portion and the element is sealed.

Claim 6 (original): A sealed battery according to claim 1, wherein said battery is a lithium ion battery or a lithium polymer battery.